



PTO/SB/01A (08-03).

Approved for use through 10/31/2002. OMB 0651-0032.

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DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention	ACTIVATION AND EXPANSION OF CELLS
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As the below named inventor(s), I/we declare that:

This declaration is directed to:

The attached application, or
 Application No. 10/762,210, filed on January 20, 2004,
 as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application.

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor one:	Ronald J. Berenson	Citizen of:	United States
Signature:		Date:	<u>5/21/04</u>
Inventor two:	Che Law	Citizen of:	United Kingdom
Signature:		Date:	<u>6-7-04</u>
Inventor three:	Mark Bonyhadi	Citizen of:	United States
Signature:		Date:	<u>5/17/04</u>
Inventor four:	Narinder Saund	Citizen of:	United States
Signature:		Date:	<u>6/15/04</u>

Additional inventors or a legal representative are being named on 1 additional form(s) attached hereto.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: P.O. Box 1450, Alexandria, VA 22313-1450.

Docket No. 980034.417C5

479409_1.DOC



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DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

ADDITIONAL INVENTOR(S) Supplemental Sheet

Page 2 of 2

FULL NAME OF INVENTOR(S)

Inventor five: Stewart Craig Citizen of: United Kingdom

Signature: SC Date: 5-17-04

Inventor six: Alan Hardwick Citizen of: United States

Signature: Alan Hardwick Date: 6-17-04

Inventor seven: Dale Kalamasz Citizen of: United States

Signature: Dale K Date: 5-19-04

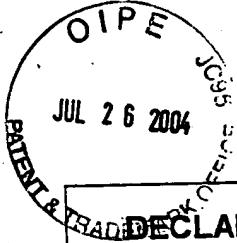
Inventor eight: David McMillen Citizen of: United States

Signature: _____ Date: _____

Inventor nine: Harjinder Singh Chana Citizen of: United Kingdom

Signature: H.S. Chana Date: 5/21/04

Additional inventors or a legal representative are being named on _____ additional form(s) attached hereto.

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION
USING AN APPLICATION DATA SHEET (37 CFR 1.76)****ADDITIONAL INVENTOR(S)
Supplemental Sheet**

Page 2 of 2

FULL NAME OF INVENTOR(S)Inventor five: Stewart Craig Citizen of: United Kingdom

Signature: _____ Date: _____

Inventor six: Alan Hardwick Citizen of: United States

Signature: _____ Date: _____

Inventor seven: Dale Kalamasz Citizen of: United States

Signature: _____ Date: _____

Inventor eight: David McMillen Citizen of: United StatesSignature: David P. McMillen Date: 7/15/04Inventor nine: Harinder Singh Ohana Citizen of: United Kingdom

Signature: _____ Date: _____

 Additional inventors or a legal representative are being named on _____ additional form(s) attached hereto.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



**ELECTION AND POWER OF
ATTORNEY and
CORRESPONDENCE ADDRESS
INDICATION FORM**

Application Number	10/762,210
Filing Date	January 20, 2004
First Named Inventor	Ronald Berenson
Title	ACTIVATION AND EXPANSION OF CELLS
Art Unit	1645
Examiner Name	
Attorney Docket Number	980034.417C5

I hereby appoint:

Practitioners at Seed IP Law Group PLLC, Customer Number: **00500**

OR

Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

The above-mentioned Customer Number.

OR

The address associated with Customer Number:

OR

<input type="checkbox"/> Firm or Individual Name			
Address			
Address			
City	State	ZIP	
Country			
Telephone	Fax		

I am the:

Applicant/Inventor.

Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

As assignee of record of the entire interest I/we hereby elect, under 37 CFR 3.71, to prosecute the application to the exclusion of the inventor(s).

SIGNATURE of Applicant or Assignee of Record

Name	<i>Jeanne Black</i>
Signature	<i>Jeanne Black</i>
Date	7/16/04

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below*.

*Total of _____ forms are submitted.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Ronald Berenson et al.Application No./Patent No.: 10/762,210 Filed/Issue Date: January 20, 2004Entitled: ACTIVATION AND EXPANSION OF CELLSXCYTE Therapies, Inc.

a

corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership,
university, government agency, etc.)

states that it is:

- the assignee of the entire right, title, and interest; or
- an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

A. An assignment from the inventor(s) of the patent application/patent identified above.
The assignment was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title noted in B above are attached.

[NOTE] A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

July 16, 2004

Date

Joanna Livi Black

Typed or printed name

206-2424221

Telephone Number

Joanna Livi Black

Signature

VP & General Counsel

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

ASSIGNMENT

WHEREAS, we, Ronald Berenson, Che Law, Mark Bonyhadi, Narinder Saund, Stewart Craig, Alan Harwick, Dale Kalamasz, David McMillen and Harjinder Singh Chana (hereinafter referred to as ASSIGNORS), having mailing addresses of P.O. Box 1597, Mercer Island, Washington 98040; 18834 Fremont Ave. N, Shoreline, Washington 98133; 27187 SE 27th Street, Issaquah, Washington 98029; 919 NW 122nd Street, Seattle, Washington 98177; 1789 267th Court SE, Issaquah, Washington 98029; 6212 Atlas Place SW, Seattle, Washington 98104; 12045 184th Ave. NE, Redmond, Washington 98052; 2712 57th Ave. SW, Seattle, Washington 98116 and 5285 236th Place SE, Issaquah, Washington 98029, respectively, are the joint inventors of an invention entitled "ACTIVATION AND EXPANSION OF CELLS," as described and claimed in the specification for which an application for United States letters patent was filed on January 20, 2004 and assigned Application No. 10/762,210;

WHEREAS, XCYTE Therapies, Inc. (hereinafter referred to as ASSIGNEE), a corporation of the State of Washington having a place of business at 1124 Columbia Street, Suite 130, Seattle, Washington 98104, is desirous of acquiring the entire right, title and interest in and to the invention and in and to any letters patent that may be granted therefor in the United States and in any and all foreign countries;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNEE hereby sell, assign and transfer unto said ASSIGNEE the entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNEE had this assignment, transfer and sale not been made. ASSIGNEE hereby authorize and request the Commissioner of Patents and Trademarks to issue all letters patent on said invention to ASSIGNEE. ASSIGNEE agree to execute all instruments and documents required for the making and prosecution of applications for United

States and foreign letters patent on said invention, for litigation regarding letters patent, or for the purpose of protecting title to said invention or letters patent therefor.

5/21/04

Date

Ronald Berenson

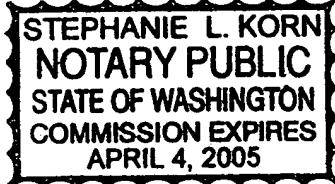
Ronald Berenson

State of Washington)

County of King)

ss.

I certify that I know or have satisfactory evidence that Ronald Berenson is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.



Dated 5/21/04

Signature of Notary Public Stephanie Korn

Printed Name Stephanie Korn

My appointment expires April 4, 2005

6-7-2004

Date

Che Law

State of Washington)

County of Skamania)

ss.

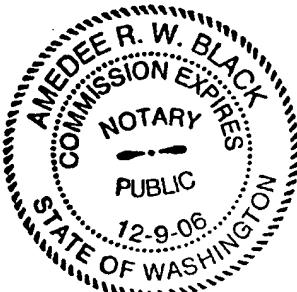
I certify that I know or have satisfactory evidence that Che Law is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated 6/7/04

Signature of Notary Public Amedee R.W. Black

Printed Name Amedee R.W. Black

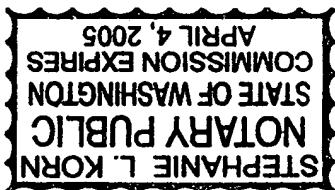
My appointment expires 12/9/04



5-17-04
DateMark BonyhadiState of WASHINGTON)
County of KING)

ss.

I certify that I know or have satisfactory evidence that Mark Bonyhadi is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

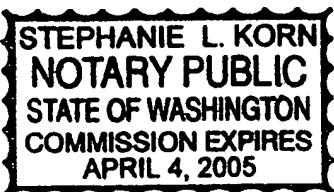


Dated 5/17/04
 Signature of
 Notary Public Stephanie Korn
 Printed Name Stephanie Korn
 My appointment expires April 4, 2005

15 June 2004
DateNarinder SaundState of Washington)
County of King)

ss.

I certify that I know or have satisfactory evidence that Narinder Saund is the person who appeared before me, and said person acknowledged that she signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in the instrument.



Dated 6/15/04
 Signature of
 Notary Public Stephanie Korn
 Printed Name Stephanie Korn
 My appointment expires April 4, 2005

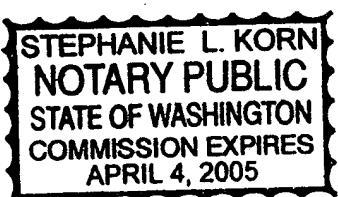
5-17-04

Date _____

State of WA _____)
County of KING _____)

Stewart Craig
Stewart Craig
ss.

I certify that I know or have satisfactory evidence that Stewart Craig is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

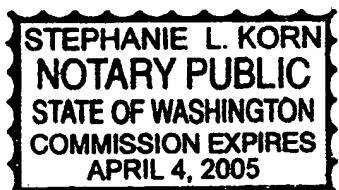


Dated 5/17/04
Signature of Notary Public Stephanie Korn
Printed Name Stephanie Korn
My appointment expires April 4, 2005

June 17, 2004
Date _____
State of Washington _____)
County of King _____)

Alan Hardwick
Alan Hardwick
ss.

I certify that I know or have satisfactory evidence that Alan Hardwick is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.



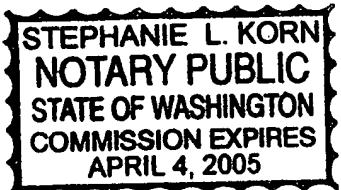
Dated 6/17/04
Signature of Notary Public Stephanie Korn
Printed Name Stephanie Korn
My appointment expires April 4, 2005

Date

5/19/04Dale + K
Dale KalamaszState of Washington)
County of King)

ss.

I certify that I know or have satisfactory evidence that Dale Kalamasz is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.



Dated 5/19/04
 Signature of
 Notary Public Stephanie Korn
 Printed Name Stephanie Korn
 My appointment expires April 4, 2005

Date _____
 State of _____)
 County of _____)

David McMillen
 ss.

I certify that I know or have satisfactory evidence that David McMillen is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated _____
 Signature of
 Notary Public _____
 Printed Name _____
 My appointment expires _____

Date _____
 State of _____)
 County of _____)

Dale Kalamasz

ss.

I certify that I know or have satisfactory evidence that Dale Kalamasz is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated _____
 Signature of _____
 Notary Public _____
 Printed Name _____
 My appointment expires _____

7-15-04

Date

State of Washington)County of King)

David McMillen

ss.

I certify that I know or have satisfactory evidence that David McMillen is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

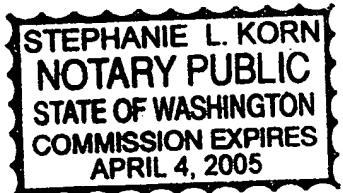
Dated 7-15-04
 Signature of _____
 Notary Public Beverly G. Eckert
 Printed Name Beverly G. Eckert
 My appointment expires 3-19-05

5/21/04
Date

Harjinder Singh Chana
Harjinder Singh Chana

State of Washington)
County of King)
ss.

I certify that I know or have satisfactory evidence that Harjinder Singh Chana is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.



Dated 5/21/04

Signature of
Notary Public Stephanie Korn

Printed Name Stephanie Korn

My appointment expires April 4, 2005

Docket No. 980034.417C5

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